



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

Alfredo Enríquez-Bernal  
aka "Tony," Defendant

**Defendant:**

CASE NO. CR 11-869

## ORDER OF DETENTION

I



**ORDER OF DETENTION AFTER HEARING (18 U.S.C. §3142(f))**

1 allegedly involving:

2 (✓) On the further allegation by the Government of:

3 1. (✓) a serious risk that the defendant will flee.

4 2. ( ) a serious risk that the defendant will:

5 a. ( ) obstruct or attempt to obstruct justice.

6 b. ( ) threaten, injure, or intimidate a prospective witness or juror or  
7 attempt to do so.

8 C. The Government ( ) is/ (✓) is not entitled to a rebuttable presumption that no  
9 condition or combination of conditions will reasonably assure the defendant's  
10 appearance as required and the safety of any person or the community.

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12 II.

13 A. (✓) The Court finds that no condition or combination of conditions will  
14 reasonably assure:

15 1. (✓) the appearance of the defendant as required.

16 (✓) and/or

17 2. (✓) the safety of any person or the community.

18 B. ( ) The Court finds that the defendant has not rebutted by sufficient  
19 evidence to the contrary the presumption provided by statute.

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21 III.

22 The Court has considered:

23 A. the nature and circumstances of the offense(s) charged, including whether the  
24 offense is a crime of violence, a Federal crime of terrorism, or involves a minor  
25 victim or a controlled substance, firearm, explosive, or destructive device;

26 B. the weight of evidence against the defendant;

27 C. the history and characteristics of the defendant; and

28 D. the nature and seriousness of the danger to any person or to the community.

1 IV.  
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7 The Court also has considered all the evidence adduced at the hearing and the  
8 arguments and/or statements of counsel, and the Pretrial Services  
9 Report/recommendation.

10 V.  
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14 The Court bases the foregoing finding(s) on the following:

15 A.  As to flight risk:

16 *Immigration status; nature of charges;  
unverified bail resources and residence*

17 B.  As to danger:

18 *Nature of present charges*

19 VI.  
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25 A.  The Court finds that a serious risk exists that the defendant will:

26 1.  obstruct or attempt to obstruct justice.

27 2.  attempt to/  threaten, injure or intimidate a witness or juror.

1           B. The Court bases the foregoing finding(s) on the following:  
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VII.

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- 11           A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.  
12           B. IT IS FURTHER ORDERED that the defendant be committed to the custody  
13           of the Attorney General for confinement in a corrections facility separate, to  
14           the extent practicable, from persons awaiting or serving sentences or being  
15           held in custody pending appeal.  
16           C. IT IS FURTHER ORDERED that the defendant be afforded reasonable  
17           opportunity for private consultation with counsel.  
18           D. IT IS FURTHER ORDERED that, on order of a Court of the United States  
19           or on request of any attorney for the Government, the person in charge of the  
20           corrections facility in which the defendant is confined deliver the defendant  
21           to a United States marshal for the purpose of an appearance in connection  
22           with a court proceeding.
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25           DATED: 11/3/2011

  
26           John E. McDonough  
27           UNITED STATES MAGISTRATE JUDGE